

Amendments to the Drawings:

The attached sheet (17/18) is a replacement drawing that includes changes to Fig. 18. This sheet, which includes Fig. 18, replaces the corresponding sheet of the substitute drawings received by the OIPE Oct. 28, 2002 which included Fig. 18. In Fig. 18, labels 1802, 1804, 1806 and 1808 have been added. No new matter has been added.

Attachment: Replacement Sheet

REMARKS

Reconsideration of the rejections set forth in the Office action dated 7/26/2005 is respectfully requested under the provisions of 37 CFR §1.111(b).

Claims 1-8 are pending.

Claims 1 and 2 have been withdrawn.

Claims 3, 5, and 7 were amended to replace “some” with “one or more”.

Applicant asserts that these are broadening amendments.

Applicant petitions for a 2 month extension of time and has authorized the required fee below and with papers filed herewith. The office action was mailed from the Patent and Trademark Office on 7/26/05. The end of the two month extension is 12/26/05 which falls on a Federal Holiday. This amendment is being mailed on 12/27/05. Thus, applicant believes that, under 37 CFR 1.7(a), this reply is to be treated as falling within the two month extension period petitioned for above. If, for some reason, the PTO determines that a three month extension is required the applicant conditionally petitions for the three month extension.

I. Drawing Objections

Applicant thanks the Examiner for noticing that labels 1802 and 1804 were not included in figure 18. Applicant added these labels as well as labels 1806 and 1808. Applicant points out that the office action summary box 10 was checked, but that no date was included. Applicant filed substitute drawings that were received by the OIPE on Oct. 28, 2002.

Applicant requests that the Examiner indicate that both the substitute drawing sheets 1/18 – 16/18 and 18/18 have been accepted; and that replacement sheet 17/18 filed herewith is accepted.

II. Rejections under 35 USC § 112, 2nd Paragraph

Claims 3-8 were rejected under 35 USC § 112, 2nd ¶ as being indefinite due to the inclusion of the term “some” in claims 3, 5 and 7. The term “some” was replaced by the phrase “one or more”. Applicant asserts that these amendments were not made to overcome any prior art and in fact are broadening amendments. In view of the above, the applicant submits that the claims now pending in the application comply with the requirements of 35 USC §112 second paragraph.

III. Rejections under 35 USC §102

Claims 3, and 5-8 were rejected under 35 USC § 102(b) as anticipated by Reed et al. (US 5,862,325).

A prima facie case of anticipation is established when the Examiner provides a single reference that teaches or enables each of the claimed elements (arranged as in the claim) expressly or inherently as interpreted by one of ordinary skill in the art.

Applicant respectfully traverses this rejection of claims 3, and 5-8 as a prima facie case of anticipation has not been established.

Presently amended claim 3 claims a system:

A system for managing and tracking information items within a first message-based system, the first message-based system being one of a set of message-based systems within a workgroup, the first message-based system having a viewer, the system comprising:

- (a) a thrask generating module generating a plurality of thrasks, each of the thrasks including at least one information item having a set of metadata, the metadata including at least one of the group of a deadline, a reminder, a deferral and an obligation;
- (b) a sorting module sorting a new information item into one of the thrasks in accordance with at least one criterion;

- (c) a display module displaying one or more of the thrasks and at least one of the metadata of each of the information items in each of the displayed thrasks in the viewer; and
- (d) an updating module updating the thrasks and at least one of the metadata.

The claims use the term “thrask” throughout. This term was created by the inventors and has no other definition known to the applicant (“Thrask” is not a word contained in Webster’s 3rd New International Dictionary unabridged ©1976 and is not known to dictionary.com as of June, 2005). “Thrask” is defined starting at page 5 line 17, and extending to page 7, line 15. In addition, the term “Thrask” is used throughout the application within the context of the TaskMaster embodiment such that one skilled in the art would understand its meaning.

As held by the en-banc CAFC in Phillips, Patent claim terms are to be given their “ordinary and customary meaning,” which is defined as “the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention.”

It is the person of ordinary skill in the field of the invention through whose eyes the claims are construed. Such person is deemed to read the words used in the patent documents with an understanding of their meaning in the field, and to have knowledge of any special meaning and usage in the field. The inventor's words that are used to describe the invention – the inventor's lexicography – must be understood and interpreted by the court as they would be understood and interpreted by a person in that field of technology. Thus the court starts the decision making process by reviewing the same resources as would that person, viz., the patent specification and the prosecution history. These documents have legal as well as technological content, for they show not only the framework of the invention as viewed by the inventor, but also the issues of patentability as viewed by the patent examiner. *Multiform Desiccants, Inc. v. Medzam, Ltd.*, 133 F.3d 1473, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998)

Those skilled in the art have started to use the term “Thrask” subsequent to publication of a paper (*Taking Email to Task: The Design and Evaluation of a Task Management Centered Email Tool*, Bellotti, et al., CHI 2003 April 5-10, 2003) authored by some of the inventors. For example, please refer to the following papers that are attached to the office action.

- Michael J. Muller , Werner Geyer , Beth Brownholtz , Eric Wilcox , David R. Millen, *One-hundred days in an activity-centric collaboration environment based on shared objects*, Proceedings of the 2004 conference on Human factors in computing systems, p.375-382, April 24-29, 2004, Vienna, Austria;
- Werner Geyer , Jürgen Vogel , Li-Te Cheng , Michael Muller, *Supporting activity-centric collaboration through peer-to-peer shared objects*, Proceedings of the 2003 international ACM SIGGROUP conference on Supporting group work, November 09-12, 2003, Sanibel Island, Florida, USA;
- Victor M. González , Gloria Mark, “*Constant, constant, multi-tasking craziness*”: *managing multiple working spheres*, Proceedings of the 2004 conference on Human factors in computing systems, p.113-120, April 24-29, 2004, Vienna, Austria

These papers are included for the sole purpose of showing that the term “Thrask” currently has meaning to one skilled in the art and that such a one understands that a “Thrask” is different from a “task” or “thread”. Further, these papers show that, while the inventors created the term “Thrask”, those skilled in the art at the time of the invention understood its meaning and subsequently adapted its use. These papers are believed to not be material to the patentability of the instant claims as they were published after the instant application was filed.

Looking now to section 8 of the office action and at the 102(b) rejection of claim 3.

In this rejection, the office action has not clearly designated the particular part of the cited art (Reed), nor has the pertinence of the reference been clearly explained as is required by 37 CFR 1.104(c)(2).

When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. 37 CFR 1.104(c)(2).

Applicant believes the Examiner may not have understood the meaning of the term “Thrask” and that, after reading the previous discussion related to that term, will understand that one skilled in the art would understand that a “Thrask” is broader than “(thread and tasks)”. The 160 column Reed reference is clearly complex. The office action has not explained the pertinence of this reference to claim 3. Applicant agrees that tasks and threads were well known in the art at the time of the invention. But again points out that the concept of a “Thrask” was novel in the art at the time of the invention and is not taught by Reed. Thus, presently amended **claim 3 is not anticipated by Reed.**

In addition, with regards to the reference “(1401 - 1424; fig. 29A)” that appears to be applied to the “set of metadata”. Reed at column 117, line 67 to column 118, line 21 describes the metadata aspects of Fig. 29A. Applicant agrees that the concept of metadata was well known in the art at the time of the invention. However, because the “Thrask” concept is novel and is not taught by Reed, “generating a plurality of thrasks, each of the thrasks including at least one information item having a set of metadata” is also novel. Furthermore, Reed’s Fig. 29a discloses nothing at all about metadata relevant to a deadline, a reminder, a deferral or an obligation as these terms are used in the specification (see the specification as a whole and. for example, page 7, lines 14-18). The office action cited Col. 7, line 64-Col. 8, line 2 as apparently teaching a reminder. The cited text is below:

Consequently, a need exists for a communications control system which allows providers and consumers to quickly and easily establish an automated communications relationship; which automatically updates both parties with changes in communications control data from the other; which works with all communications networks shared by the provider and consumer; which allows

both parties to automatically control, filter, store, index, and process communications from the other; which allows both providers and consumers to share many common communications services; and which allows both parties to easily manage, copy, transfer, and terminate the communications relationship.

Applicant is unable to determine how this citation applies to metadata that includes a deadline, a reminder, a deferral, or an obligation. Applicant must assume that this rejection is based on facts within the personal knowledge of an employee of the PTO. Applicant respectfully calls for an affidavit from the Examiner or other PTO employee having those facts per 37 CFR 1.104(d)(2) to support with specificity how this citation applies to claim 3.

The office action cites col. 52, lines 14-53 apparently asserting that it somehow teaches something about a deferral and/or an obligation. The text below includes that cited text:

The authentication of public keys and digital signatures can also be automated via the use of authentication objects, a special type of service object. Authentication objects and servers will be further discussed below.

An example illustrating the application of encoding control and automation using communications objects is shown in FIG. 21. A provider using the provider program 12 has created and distributed to a consumer program 22 a communications object instance 35. This communications object contains a WPFileSend method 141, plus such additional elements, methods, and rules (143, 141, 140, FIG. 3) as are necessary to govern the encoding and transmission of word processing documents from consumers. A consumer wishes to transmit a word processing file 951 produced by a word processing program 950 to the communications object provider. The word processing program 950 runs concurrently with the consumer program 22 on the consumer computer 2. The consumer invokes a command within the word processing program 950 to execute a macro program 953 such as those available within popular word processors such as Microsoft Word from Microsoft Corporation and WordPerfect from WordPerfect Corporation. The macro program 953 makes an API call to the consumer program 22 (step 960) which returns a list of the available communications objects which support word processing file transfer (step 961). These choices are presented to the consumer in a menu or dialog box. Alternatively, the macro program 953 could retain an internal list of frequently-used word processing file recipients. If a communications object represented multiple recipients, the macro program 953 could make additional calls to the consumer program 22 to present such menus or dialog boxes as were necessary to

determine those subchoices. Once a particular recipient or recipients were chosen, the macro program 953 would make one or more calls to the consumer program 22 for the input options necessary to execute the communications object's WPFileSend method (step 962). The consumer program 22 would return the necessary parameters, including the provider's choice of preferred word processing document formats, message category options, encryption options, notification options (such as priority), return receipt options, event logging options, accounting options, and message attachment options (step 963). Those which require consumer input could be presented in one or more additional dialog boxes.

Applicant is unable to determine how this citation applies to metadata that includes a deadline, a reminder, a deferral, or an obligation. Applicant must assume that this rejection is based on facts within the personal knowledge of an employee of the PTO. Thus, applicant respectfully calls for an affidavit from the Examiner or other PTO employee having those facts per 37 CFR 1.104(d)(2) to support with specificity how this citation applies to claim 3.

With regards to the reference “(fig. 1, item 22; vie e-mail)”. Because the “Thrask” concept is novel and is not taught by Reed, “sorting a new information item into one of the thrasks in accordance with at least one criterion” is also novel and is not anticipated by Reed.

With regards to the reference (Fig. 1, item 22, “consumer program operation”; “consumer computer”): Because the “Thrask” concept is novel and is not taught by Reed, “a display module displaying at least one of the thrasks and at least one of the metadata of each of the information items in each of the displayed thrasks in the viewer” is also novel and is not anticipated by Reed.

With regard to the references (col. 75, line 63-col. 63, line 76, col. 105, line 53-col. 106, line 60): Because the “Thrask” concept is novel and is not taught by Reed, “an updating module updating the thrasks and at least one of the metadata” is also novel and is not anticipated by Reed.

In addition, applicant does not understand what citation was intended by “col. 75, line 63-col. 63, line 76” and is unable to guess at the citation intended by the Examiner. Thus applicant traverses any interpretation by the office action of this citation.

With regard to the reference (col. 105, line 53-col. 106, line 60) as applied to “an updating module updating the thrasks and at least one of the metadata”, nothing in the cited text teaches a “Thrask”.

Thus, **presently amended claim 3** is not anticipated and applicant accordingly traverses the anticipation rejection.

With regard to presently amended claim 5, applicant respectfully traverses the anticipation rejection using the reasoning of expressed for presently amended claim 3 for the shared features.

Because the “Thrask” concept is novel and is not taught by Reed, “providing a shared view of some of the thrasks to a subset of the message-based systems within the shared workgroup in response to a user selection of an option” is also novel and is not anticipated by Reed.

Thus, **presently amended claim 5** is not anticipated and applicant accordingly traverses the rejection.

Original claim 6 depends on and further limits presently amended claim 5. In addition, because the “Thrask” concept is novel and is not taught by Reed, “updating at least one of the metadata of one of the information items in one of the thrasks” is also novel and is not anticipated by Reed.

Thus, **original claim 6** is not anticipated and applicant accordingly traverses the rejection.

Applicant respectfully traverses the anticipation rejections for **presently amended claim 7** and **original claim 8** for reasons analogous to those provided for presently amended claim 5 and original claim 6.

IV. Rejections under 35 USC §103(a)

Claim 4 stands rejected under 35 USC §103(a) as being unpatentable over Reed et al. [US. No. 5,862,325] and in view of Cooperman et al. [US. No. 6,907,447]. This rejection is respectfully traversed in view of the following arguments.

A prima facie case of obviousness is established by one or more references that were available to the inventor and that teach a suggestion to combine or modify the reference, the combination or modification of which would appear to be sufficient to have made the claimed invention obvious to one of the ordinary skill in the art.

Original claim 4 is directed to the method of Claim 3 with the additional limitation that the first message-based system has different capabilities than some in the set of message-based systems.

The subject matter of claim 4 is described at least on page 8, lines 6-26. In summary, TaskMaster (which is an embodiment of the claimed invention) has more capabilities than traditional e-mail systems such as Outlook and Eudora. However, these traditional e-mail systems (which do not have the TaskMaster capabilities) can still send and receive email messages to and from TaskMaster.

As previously discussed, Reed does not teach the invention of claim 3. Further, nothing in Reed teaches a suggestion to one skilled in the art to modify Reed to use a “Thrask”.

Nothing in Cooperman, separately or in combination with Reed, teaches, or teaches a suggestion to combine or modify Reed to use a “Thrask”. Thus, presently amended **claim 3 is patentable**. Presently amended **claims 5 and 7 are also patentable** for the same reason.

Claim 4, depends on and further limits claim 3 that is patentable. Thus, Claim 4 is patentable. In addition, Cooperman col. 2, line 30-col. 3 line 13 does not appear to teach anything about different capabilities as that term would be understood by one skilled in the art after reading claims 3 and 4 in light of the specification. Thus, applicant must assume that this rejection is based on facts within the personal knowledge of an

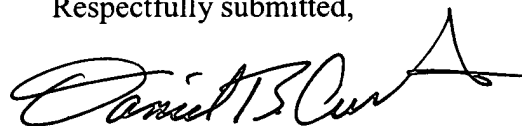
employee of the PTO. Thus, applicant respectfully calls for an affidavit from the Examiner or other PTO employee having those facts per 37 CFR 1.104(d)(2) to support with specificity how this citation applies.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered or traversed and shown to be inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 CFR §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

The undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

Should any additional issues remain, or if I can be of any additional assistance, please do not hesitate to contact me at (650) 812-4259.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel B. Curtis", with a stylized flourish at the end.

DANIEL B. CURTIS
Attorney for Applicants
Reg. No. 39,159
(650) 812-4259
dbcurtis@parc.com